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Monthly report of the Secretary-General on Darfur

I. Introduction

1. The present report is submitted pursuant to paragraphs 6, 13 and 16 of Security Council resolution 1556 (2004), paragraph 15 of Security Council resolution 1564 (2004), paragraph 17 of Security Council resolution 1574 (2004) and paragraph 12 of Security Council resolution 1590 (2005). It covers the month of May 2006.

II. Insecurity in Darfur

2. Despite the signing of the Darfur Peace Agreement on 5 May by the Government of the Sudan and the Minni Minawi faction of the Sudan Liberation Movement (SLM), fighting has continued in several areas of Darfur. A number of demonstrations were organized against the Agreement, some of which turned violent. There were several attacks on humanitarian aid workers and vehicles in Darfur, while militia groups continued to attack civilian targets and the African Union Mission in the Sudan (AMIS).

3. In Southern Darfur, the Sudan Liberation Army (SLA) launched an attack on a Government police camp at Abgragel, between Donkey Dereisa and Nyala, on 4 May, killing a dozen police officers. The village was then looted and torched. In apparent retaliation, armed tribesmen attacked several SLA-controlled villages south of Abgragel on 7 May, including Baraka and Magerine, killing at least five civilians. On 6 May, the Sudanese Armed Forces attacked Karbaba, in the Nyala locality, killing at least seven people. The following day, over 200 militiamen attacked Kalaka in the Shearia locality, resulting in several deaths. On 13 May, armed tribesmen raided Malwi village, northeast of Gereida, forcing about 8,000 inhabitants to flee towards Ambol and Gereida. On 19 May, the Janjaweed raided the villages of Natiga and Baju Baju, killing 35 civilians.

4. In the northern part of Southern Darfur, armed tribesmen attacked Kurunji and Kalaka on 5 May. About 30 villagers were killed, including Minni Minawi's brother, Jusuf Arko Minawi. In apparent retaliation, about 150 armed villagers from Kalaka attacked the village of Defeis. On 20 May, armed tribesmen attacked the SLA-controlled village of Fuguli and looted several hundred head of cattle. Thirteen villagers were reportedly killed and 16 others injured. In Northern Darfur, intra-SLA fighting was reported on 24 May in the vicinity of Birmaza.

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5. In Western Darfur, armed militias attacked SLA at Jebel Muktarin on 5 May. Five days later, armed tribesmen allegedly supported by the Sudan Armed Forces attacked the village of Shau Fugo, which is controlled by SLA (Abdul Wahid faction).

6. The tension between Chad and the Sudan has heightened insecurity in Western Darfur and has continued to contribute to the displacement of civilians along the border. There has been a reported increase in the presence of Chadian rebels on Sudanese territory. There are also reports of continued recruitment of civilians and children in camps for Internally Displaced Persons (IDPs) in Western Darfur by Chadian rebels, including in Foro Baranga, Habillah and El Geneina camps.

7. As in earlier months, IDPs continued to be the target of violence. On 21 May, about 150 armed tribesmen attacked and looted an IDP camp at Gua near Gereida. According to SLA, 8 people were killed and 24 others were wounded.

8. Banditry, at times combined with sexual violence against women, continued to be a source of concern. In Southern Darfur, in the Menawashi area, bandits ambushed two buses at Amar Jandid on 27 April and several women were allegedly raped. On 12 May, armed tribesmen stopped a vehicle in the same area and allegedly raped and killed several women. On 14 May, armed tribesmen attacked a commercial truck and killed two women, while eight others were raped.

9. Direct attacks on humanitarian aid workers by armed groups also remained a concern, with several international non-governmental organization (NGO) vehicles ambushed in Darfur during this period. An international NGO vehicle carrying two staff members was seized by unknown armed men on 2 May near Saraf Omra in Northern Darfur. The next day, a Sudan Armed Forces patrol clashed with the suspected culprits, and one Sudan Armed Forces officer was reported killed. The two staff members were found unharmed two days later. In Western Darfur, five men hijacked a vehicle of the United Nations Mission in the Sudan (UNMIS) in El Geneina on 18 May. In the last two months, about 10 vehicles owned by international NGOs have been stolen. All of these vehicles seem to be used by armed groups, rogue commanders and the Janjaweed in attacks on villages and in clashes among each other.

10. A number of protests were organized in Darfur by IDP communities affiliated with the groups that did not sign the Darfur Peace Agreement. Some of these demonstrations turned violent, as a result of which several people lost their lives. Sentiments against the Agreement in IDP camps have also led to attacks on AMIS personnel and assets, forcing AMIS to reduce its presence in a number of IDP camps. At Abu Shouk IDP Camp in El Fasher a sheikh was killed when he tried to stop IDPs from attacking AMIS personnel. Attacks on AMIS patrols were also reported in the field.

III. Human rights and protection

11. The civilian population continues to suffer from the prolonged conflict in Darfur. In addition to displacement, the consequences for civilians include harassment and intimidation by militias, sexual and gender-based violence, separation of children from their families, lack of freedom of movement and denial of access to humanitarian assistance. Intra-SLA violence is adding to the abuses

suffered by civilians. Despite a high concentration of state security agents in Darfur, there is a lack of protection of civilians by Government forces.

12. During some of the demonstrations organized against the Darfur Peace Agreement by IDP communities in May, security forces opened fire against protesters, resulting in a death toll of at least six civilians and in the serious injury of numerous other people. Traditional authority has been increasingly disregarded and lawlessness has become a major problem in many camps.

13. The Government's efforts to ensure accountability for human rights violations in Darfur remained inadequate. Structures set up by the Government, such as the Special Criminal Court on the Events in Darfur, have not handled appropriately the cases brought before them. As mentioned in my previous monthly report (S/2006/218), the only case brought before the Nyala Special Criminal Court on the Events in Darfur involved the attack on Tama village in October 2005, when armed tribesmen killed 28 civilians. On 3 May, the Nyala Criminal Court delivered its verdict in the case. The two members of border military intelligence on trial were acquitted of war crime charges, ostensibly due to lack of evidence, though they were found guilty of criminal acts and theft. Their acquittal on war crime charges demonstrates the limitations of the Special Court in holding high-level officials accountable and the lack of serious efforts on the part of the Government to end impunity. For example, nobody was found guilty of murder, rape or other crimes in the Tama massacre. As a result, the IDPs and refugees have lost confidence in the judicial system in Darfur.

14. The United Nations High Commissioner for Human Rights visited the Sudan from 30 April to 6 May. The High Commissioner highlighted the continuing problem of human rights violations committed by Government agents and the increased involvement of rebel groups in attacks against civilians in Darfur. She also urged the Government to make progress in reforming the Sudanese security apparatus in accordance with the Comprehensive Peace Agreement and the Interim National Constitution, including a reform of the broad immunities granted to state agents for human rights violations, and to allow United Nations human rights officers free and unfettered access to detention facilities. The High Commissioner also concluded that the initiatives and measures taken by the Government to address impunity for human rights violations remain superficial and inadequate. She called for the International Criminal Court (ICC) to more visibly and robustly carry out the functions already assigned to it by the Security Council more than a year ago, with the full cooperation of the Government.

IV. Humanitarian situation

15. The humanitarian situation in Darfur has not improved since my last report. In Northern Darfur, intra-SLA fighting has had a major impact on humanitarian operations. The combination of insecurity and the loss of humanitarian assets has led to a significant scaling down of humanitarian operations in the Shangil Tobayi, Tabit, Gallap and Dar es Salaam areas.

16. Despite the renewal of the Darfur moratorium on restrictions for humanitarian work in Darfur and the signing of the status-of-forces agreement, freedom of movement for humanitarian workers remains problematic, with access often being denied. At the end of April, United Nations helicopters were refused permission by

national security officers, on three occasions, to disembark passengers in Kabkabiya (Northern Darfur). United Nations personnel have been regularly refused access to the Tawilla area (Northern Darfur), hampering assessment and delivery of aid to 3,000 new IDPs, and to Zam Zam and Shangil Tobayi camps.

17. An estimated 250,000 people have been displaced or redisplaced in Darfur as a consequence of the ongoing violence since the beginning of 2006. The worsening humanitarian situation is compounded by reduced access as a direct result of the violence. The limited access, together with shortages of funding, has translated into scaled down activities in all sectors, including food aid. Shortages have forced the World Food Programme (WFP) to reduce food rations for both camp and non-camp populations by about 50 per cent. The announcement of shortages, of which the camp population became aware around the time of the signing of the Darfur Peace Agreement, resulted in much unrest in the camps and in less support for the Agreement.

18. Following the visit of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Jan Egeland, to Khartoum and Darfur in early May, the United Nations has obtained confirmation of a welcome pledge of 20,000 tons of food from the Government of the Sudan. In addition, a pledge of 48,000 tons of food from the United States of America will help the United Nations increase the food rations, which were recently reduced by half. A further $20 million will be made available from the Central Emergency Revolving Fund to meet critical funding shortfalls.

19. However, funding of humanitarian programmes remains weak. Only 50 per cent of the $648 million humanitarian requirement for Darfur for 2006 has been pledged or received. This is constraining vital preparedness activities for the upcoming wet season, when health, water and sanitation risks, including cholera, historically increase to dangerous levels. Unless there is a rapid injection of new funding for humanitarian programmes in Darfur, disease outbreaks and increasing morbidity rates are likely.

V. Darfur peace process

20. With the signing of the Darfur Peace Agreement by the Government of the Sudan and the SLM faction of Minni Minawi on 5 May, the Darfur peace process has entered a new phase. The Agreement contains a comprehensive set of commitments covering the key areas negotiated by the parties in Abuja. In the power-sharing protocol, the Agreement created the post of Senior Assistant to the President, to be nominated from the Movements. A transitional Darfur regional authority is to be created and an internationally monitored referendum will determine the final status of Darfur (e.g. whether to create a region or retain the status quo).

21. With regard to wealth sharing, it was agreed, inter alia, that the Government of the Sudan would allocate $300 million in 2006, and not less than $200 million in 2007 and 2008, to a Darfur reconstruction and development fund. The Government would also provide an initial $30 million to a compensation fund to address claims of people affected by the conflict.

22. The security aspects of the Darfur Peace Agreement strengthened existing ceasefire monitoring and verification mechanisms. Measures designed to increase security for IDPs and humanitarian supply routes were also agreed upon. Benchmarks for monitoring the disarmament of the Janjaweed were established, and it was agreed that troops from the Movements would be integrated into Sudanese security organs, including in leadership positions. Finally, a Darfur-Darfur dialogue and consultation is to be held under African Union leadership to promote reconciliation and broader ownership of the Darfur peace process.

23. At its fifty-first meeting held in Addis Ababa on the situation in Darfur, the AU Peace and Security Council on 15 May endorsed the Darfur Peace Agreement and decided that the effective date of the start of its implementation would be 16 May. The Peace and Security Council regretted the failure of the SLM group led by Abdul Wahid al-Nur and Justice and Equality Movement (JEM) to sign the Agreement and urged them to do so, failing which the Peace and Security Council said it would consider measures, including sanctions, to be applied against the leadership and members of the two groups.

24. The United Nations system in the Sudan has formed a Darfur Peace Agreement implementation team to ensure fulfilment of the United Nations tasks stipulated in the Agreement, support the AU in implementing the Agreement, lend good offices to the parties and track progress in implementation. Efforts are continuing to convince the non-signatory parties to join in the implementation phase. UNMIS is participating in efforts to raise awareness about the contents of the Agreement within Darfur, while also striving to defuse tensions that have arisen in some IDP communities over the Agreement.

VI. United Nations support to the African Union Mission in the Sudan

25. As at 1 June 2006, AMIS had a total of 7,105 personnel, comprising 708 military observers, 1,415 civilian police, 28 international staff, 12 AU Ceasefire Commission personnel and a protection force of 4,942 troops. UNMIS continued to liaise closely with AMIS, through regular contacts with the AMIS Special Representative in Khartoum, AMIS personnel in Darfur and periodic meetings between the United Nations Assistance Cell and the AU Commission in Addis Ababa.

26. In response to detailed requests received from AMIS in April, the United Nations has deployed technical experts to assist AMIS in the areas of logistics, communications and transport. Additionally, UNMIS and the United Nations Assistance Cell in Addis Ababa are working with international donors to identify and ensure the delivery of further assistance to AMIS. At the request of the AU, UNMIS military and police assisted AMIS in developing a concept of operations to guide AMIS support for the implementation of the Darfur Peace Agreement. The concept of operations will also help donors to decide on further support to AMIS at the pledging conference, expected to take place in Brussels on 7 July 2006.

27. At its meeting of 15 May, the AU Peace and Security Council stressed the urgent need to strengthen AMIS, particularly in the light of the additional tasks to be performed as part of the implementation of the Darfur Peace Agreement. It also

decided that, in view of the signing of the Agreement, concrete steps should be taken to effect the transition from AMIS to a United Nations peacekeeping operation. To that end, it urged the United Nations and the Government of the Sudan to engage in consultations to ensure that the transition to a United Nations operation in Darfur can take place at the earliest possible time.

28. In this regard, I have taken steps to deploy a technical assessment mission to Darfur. As the Security Council has already been informed, my Special Envoy, Lakhdar Brahimi, and Assistant Secretary-General for Peacekeeping Operations Hedi Annabi travelled to Khartoum for consultations with the Government of the Sudan on the transition and secured its agreement for the fielding of a joint United Nations/AU technical assessment mission. Consequently, I designated Under-Secretary-General for Peacekeeping Operations Jean-Marie Guéhenno to lead a multidisciplinary United Nations team on a joint United Nations/AU assessment mission to the Sudan. Before travelling to the Sudan, the team held consultations on 8 June in Addis Ababa with AU Commission Chairperson, Alpha Oumar Konaré, Peace and Security Commissioner Said Djinnit and the Partners Technical Group. The objectives of the joint assessment mission are to hold wide-ranging consultations with the Government of the Sudan, assess the additional needs of AMIS to implement the Darfur Peace Agreement, and assess the requirements for the proposed transition from AMIS to a United Nations operation.

VII. Observations

29. The signing of the Darfur Peace Agreement was a significant achievement. The signatories to the Agreement have by and large respected their commitments and refrained from attacking each other. Regrettably, however, violence by militia, Janjaweed, bandits and rogue commanders, directed against innocent men, women and children, continues. I call on all parties and groups to immediately cease attacks against the civilian population. I am encouraged that following the failure of Abdul Wahid al-Nur (SLA/M) and Khalil Ibrahim (JEM) to sign the Darfur Peace Agreement in Abuja, or by the deadline of 31 May fixed by the AU Peace and Security Council, some senior leaders, formerly accredited as prominent delegates of the two Movements to the inter-Sudanese peace talks on Darfur in Abuja, on 8 June presented to the AU a signed declaration of commitment to the Agreement, on behalf of their followers. While this is a positive step, I urge all non-signatory parties to commit themselves to peace in order to bring the misery and suffering of the people of Darfur to an end.

30. To strengthen the peace process, the parties, with the assistance of the international community, must act quickly to begin the implementation process. Disarming the Janjaweed, improving civilian protection and strengthening ceasefire monitoring and verification mechanisms are absolute priorities. I am pleased to note that the AU Ceasefire Commission was inaugurated on 13 June and that the Joint Commission will be inaugurated on 23 June. I expect these commissions to start actively functioning as soon as possible and to publish their findings to prevent irreversible violation of the Agreement. Similarly, the early creation of peace dividends through quick execution of the provisions of the Darfur Peace Agreement relating to economic recovery, reconstruction and compensation would help strengthen the peace process. It is also essential to broaden ownership in the process as soon as possible through the early organization of the Darfur-Darfur dialogue and

consultation. Sustainable peace will be possible only if the cycle of impunity is broken and accountability is ensured. The Government needs to redouble its effort in this regard at the national level and through effective cooperation with the International Criminal Court, as requested by the Security Council in its resolution 1593 (2005).

31. I am troubled by the violent protests against the Darfur Peace Agreement that have taken place in displaced persons' camps in Darfur, which have resulted in tragic loss of life. I urge all relevant parties to ensure that the benefits of the Darfur Peace Agreement are understood by the people of Darfur. To give distorted information about the content of the Agreement in order to orchestrate resistance and unrest in the camps is a clear impediment to the peace process. Likewise, attacks by internally displaced persons against AMIS, whose sole purpose is to assist the conflict-affected civilian populations in Darfur, are unacceptable.

32. Another serious concern is that the work of United Nations agencies and NGOs continues to be hindered by banditry targeting humanitarian personnel and assets. In addition, national authorities have at times imposed rigid travel rules on humanitarian workers, which seriously impede their work and denies civilians proper access to humanitarian assistance and supplies. I once again call on the Sudanese authorities to respect fully the freedom of movement of humanitarian personnel, in accordance with the status-of-forces agreement and the moratorium on restrictions for humanitarian work in Darfur.